

He ignores what happened in between. After the election returns of November 3, 2020, Republicans across the Nation, in 40 different States, introduced hundreds of bills to limit people's right to vote. That is why we are responding with this Federal response that is now being considered in the Senate Rules Committee.

He missed part of the equation. It went from November 3rd's big turnout to efforts in State legislatures to restrict turnout, to limit the rights of people to vote across America, especially African Americans and Latinos and those who are not wealthy—to limit their right to vote. And then came this response on the Federal basis. That is an important point. If we believed that the filibuster would not be used against it, if there was some promise that it wouldn't be, we certainly could bring that bill to the floor for debate, and we should, if we are given that kind of assurance.

#### GUN VIOLENCE

Mr. President, the final point I want to make is regarding the hearing we held yesterday. It was a hearing before the Senate Judiciary Committee on guns and gun violence. I scheduled it last week, and I didn't know as I scheduled it the tragedy that was occurring in Atlanta, GA, with eight people who were murdered. We heard about that. It was an outrage, these poor, innocent people killed—coincidentally, the majority of them Asian Americans—at a time when we know hate crimes against Asian Americans are on the rise.

That was the day that I announced the hearing that occurred yesterday, but little did I know, as we prepared 2 days ago for that hearing, what would happen in Boulder, CO, just 2 days ago when 10 innocent people were killed at a supermarket.

We had a hearing yesterday. It was an important hearing. Members all attended. Sadly, one of the members on the other side came in, the junior Senator from Texas, and characterized our hearing on gun violence, in light of what is happening in America, as “ridiculous theater.” Those were his words, “ridiculous theater.” There was nothing ridiculous about the hearing that we held yesterday. It was a matter of life and death.

The grief that is being felt in Boulder, CO; Atlanta, GA; and all over America is a grief that is shared on a daily basis. Forty thousand Americans each year lose their lives to gun violence—40,000—a recordbreaking number and nothing we should be proud of as a nation.

When we address gun violence and the measures that should be taken to reduce it, it is not ridiculous; it is as serious as it gets. Furthermore, it is not theater. Theater is a depiction of reality; the Senate Judiciary Committee is reality.

We are imparted, as Senators, to change the laws of America and make it safer. That is not a theatrical per-

formance; that is just discharging our duties as U.S. Senators.

So I would say to that Senator and others, I agree completely with Senator SCHUMER. We need to bring bills to the floor that will reduce gun violence in America, keep firearms out of the hands of people who should not have them. Convicted felons and mentally unstable people should not be having guns and buying them and be able to kill innocent people who are just stopping by the supermarket to pick up something to take home. That is what happened in Boulder, CO.

As the stories are printed in newspapers across America about those lives lost, it is a grim reminder that this is not ridiculous. It is not theater. It is a life-and-death issue which we have the power to change.

I hope we can bring this measure to the floor, the one that passed the House of Representatives—and others—to bring sanity to our Second Amendment, to make sure that we have constitutional, commonsense gun safety that is consistent with any constitutional right.

I yield the floor.

#### CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 40, Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services.

Charles E. Schumer, Patty Murray, Benjamin L. Cardin, Jon Tester, Richard Blumenthal, Michael F. Bennet, Sheldon Whitehouse, Sherrod Brown, Jeanne Shaheen, Debbie Stabenow, Thomas R. Carper, Margaret Wood Hassan, Elizabeth Warren, Alex Padilla, Tina Smith, Tim Kaine, Christopher A. Coons.

#### VOTE ON THE LEVINE NOMINATION

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 132 Ex.]

#### YEAS—52

Baldwin	Carper	Feinstein
Bennet	Casey	Gillibrand
Blumenthal	Collins	Hassan
Booker	Coons	Heinrich
Brown	Cortez Masto	Hickenlooper
Cantwell	Duckworth	Hirono
Cardin	Durbin	Kaine

Kelly	Murray	Smith
King	Ossoff	Stabenow
Klobuchar	Padilla	Tester
Leahy	Peters	Van Hollen
Lujan	Reed	Warner
Manchin	Rosen	Warnock
Markey	Sanders	Warren
Menendez	Schatz	Whitehouse
Merkley	Schumer	Wyden
Murkowski	Shaheen	
Murphy	Sinema	

#### NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, the yeas are 52, the nays are 48.

The motion is agreed to.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 38, David Turk, of Maryland, to be Deputy Secretary of Energy.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Robert Menendez, Chris Van Hollen, Tammy Baldwin, Thomas R. Carper, Tina Smith, Richard Blumenthal, Ben Ray Lujan, Debbie Stabenow, Ron Wyden, Cory A. Booker, Alex Padilla, Jack Reed, Mark R. Warner, Chris Van Hollen, Robert P. Casey, Jr.

#### VOTE ON THE TURK NOMINATION

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David Turk, of Maryland, to be Deputy Secretary of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 98, nays 2, as follows:

[Rollcall Vote No. 133 Ex.]

#### YEAS—98

Baldwin	Cardin	Duckworth
Barrasso	Carper	Durbin
Bennet	Casey	Ernst
Blackburn	Cassidy	Feinstein
Blumenthal	Collins	Fischer
Blunt	Coons	Gillibrand
Booker	Cornyn	Graham
Boozman	Cortez Masto	Grassley
Braun	Cotton	Hagerty
Brown	Cramer	Hassan
Burr	Crapo	Heinrich
Cantwell	Cruz	Hickenlooper
Capito	Daines	Hirono

Hoeven	Moran	Shaheen
Hyde-Smith	Murkowski	Shelby
Inhofe	Murphy	Sinema
Johnson	Murray	Smith
Kaine	Ossoff	Stabenow
Kelly	Padilla	Sullivan
Kennedy	Peters	Tester
King	Portman	Thune
Klobuchar	Reed	Tillis
Lankford	Risch	Toomey
Leahy	Romney	Tuberville
Lee	Rosen	Van Hollen
Lujan	Rounds	Warner
Lummis	Rubio	Warnock
Manchin	Sanders	Warren
Markey	Sasse	Whitehouse
Marshall	Schatz	Wicker
McConnell	Schumer	Wyden
Menendez	Scott (FL)	Young
Merkley	Scott (SC)	

NAYS—2

Hawley Paul

The PRESIDING OFFICER. On this vote, the yeas are 98, the nays are 2.

The motion is agreed to.

The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—S. RES. 132

Mr. INHOFE. Thank you, Mr. President.

It is obvious to just about everyone outside of Washington that the situation on our southern border is a crisis. I can't believe that anyone wouldn't believe that it is a crisis, but there are some who would answer that it isn't a crisis.

President Biden and the DHS Secretary refused to call it a crisis. It is not just a challenge. They called it a challenge. This isn't a challenge. This is a crisis. Ask anyone you see on the street if it is a crisis—people lined up, coming in illegally.

You don't have to take my word for it. Look at the facts. We have had a 173-percent increase in border apprehensions compared with 1 year ago—173-percent increase. This past February, apprehensions were at the highest total for February in 14 years.

DHS admits that we are on track for the most illegal migrants in more than 20 years. This is on the border. This is today. This is what is happening.

Last week, mainstream media news reports found that the administration is restricting information Border Patrol agents are allowed to share with the media about the crisis. The border agents claim that they are under an unofficial gag order. These are the border agents. These are the ones who do this for a living. They are down there. They are protecting our laws, stopping illegals from coming in. That is what their job description is, and yet they are under a gag order.

They don't want the media to find out. And they are being told to deny media requests for ride-alongs at the border. Now, that is so the media can tell the people of America what is going on down there, and they are being denied that opportunity.

The DHS Secretary claims that he is committed to openness and transparency, but this is not openness and transparency. This is hiding from the people what is going on.

Maybe this administration is doing this and refusing to call it a crisis be-

cause their policies have invited this surge. This surge is coming as a result.

President Biden has frozen funds from Congress directed for the building of the wall. He ended the "Remain in Mexico" asylum policy that was put there by the previous administration. It is a crisis.

Illegal aliens know Biden is opening our borders up, and they intend to take advantage of that. And the illegals are wearing the Biden T-shirts. Do you see this photograph over here? There they are. Biden, we are coming in.

I know a lot about the southern border because I have been there countless times, seeing firsthand the problems on both the Mexican side and the American side of the border. I was a builder and developer for 30 years down there. I know that border. I was there for 30 years, all the way from Brownsville to McAllen, TX, on both sides. I know the individuals that are down there who are the career people protecting our borders.

I am disappointed that the administration is reversing the progress we have made over the past 4 years and shocked that they simply won't acknowledge it is a crisis.

The border security should not be a partisan issue, and I am glad there are a few Senate Democrats who share my concern about this crisis. I applaud them for speaking out. It took guts to do it.

Well, I have got a resolution, and I am going to introduce this resolution. I introduced it, actually, already. I think every Senator will agree with it. It is a simple resolution.

We haven't checked this out yet, but I think this might be the shortest resolution in the history of the U.S. Senate. I am going to read it to you.

It simply states:

It is the sense of the Senate that the current influx of migrants at the Southern land border of the United States constitutes a crisis.

That is it. Nothing more.

So, with that, Mr. President, as in legislative session—this is a unanimous consent request, Mr. President. I am making it right now.

As if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 132, submitted earlier today. I further ask unanimous consent that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mr. PADILLA. Mr. President, reserving the right to object.

Colleagues, what is happening at the border right now is not just another policy matter to me; it is personal.

When I see the young Latino children, alone in an unfamiliar setting, being spoken to by law enforcement and other authorities in a language that they don't understand, I actually

can't help but think of my three boys. My boys are the same ages as many of the kids presenting themselves at the border seeking asylum.

They look just like those kids. I see the fear and desperation in the eyes of the children at the border, and I don't have to imagine how my boys would look and feel under such circumstances. I have tasted that already.

In 2018, we were on a family trip in Arizona—June of 2018. It was the height of Trump's cruel family separation. We took a detour to Tornillo, TX, to demand humane treatment of the children who were being intentionally separated from their parents by the previous administration.

On the way there, I tried to prepare my boys, mentally and emotionally, for what they were about to see. And it was my youngest son, Diego, who was 3 years old at the time, who turned to me and said: Dad, Donald Trump is putting kids in cages. We got to go help them.

My heart broke. Imagine how the children on the border today are feeling. Imagine how scared they must be. Consider how traumatic their young lives have already been and how anxious they are for the basic safety and comfort that so many people take for granted.

Let's think of their parents' anguish, to be so desperate to protect their children, to be so afraid for their safety, let alone their future, that they make the heartbreaking decision of sending them on a dangerous 2,000-mile journey to the U.S. border all alone, knowing that as risky and as dangerous as that journey is, it is safer than to stay in their own community.

Let's be clear. These are children. These are families, not that are well-off, trying to game the system. These are families who are desperate. Their communities have been ravaged by hurricanes, the COVID-19 pandemic, and in so many cases, decades of violence. Their families are threatened by gangs with torture and murder if they stay home. Asylum seekers aren't just seeking a better life. Many are simply just trying to stay alive.

Too many policymakers act like asylum seekers are just choosing to come here, when there is really no choice at all.

So I am deeply disappointed to see so many Members of Congress, both in the House and in the Senate, depicting desperate, young children at the border as some sort of threat to our Nation. As though 15,000 practically orphaned children trying to assimilate into our country of 330 million is some sort of existential crisis for our Nation.

The real crisis is the immigration laws that are so broken that children have to make a treacherous 2,000-mile journey to seek asylum here. The real crisis is that this situation distracts us from the more than 11 million undocumented immigrants who have been living in the United States for years, working and paying taxes in communities all across America while living

in constant fear of deportation. They are our neighbors, our teachers, our nurses, our grocery store workers, our childcare providers. They are the essential workers whom we have all thanked each and every day throughout this pandemic who live in constant fear that their lives will be upended and their families ripped apart at any moment, depending on the politics of the day in Washington.

The real crisis is that we have strayed so far from our founding principles as a Nation of immigrants and that we have strayed so far from the creed emblazoned on the very statue that we erected to welcome immigrants into New York Harbor saying:

Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!

So I am disappointed but, sadly, not surprised that this resolution is nothing more than a cynical attempt to perpetuate the semantic nonsense of the day. Our constituents didn't send us to the Senate or to Congress to identify problems. They sent us here to develop and enact solutions.

I am more than willing to sit down with my colleague here to try to come up with some solutions to address what is happening at the border—solutions that address the lack of resources and the broken processes left by the previous administration, solutions that recognize the fundamental humanity of these desperate children and families who simply want to live to see their next birthday, and solutions that stay true to the values of this Nation.

I have an amendment to the resolution at the desk to strike the text of the Inhofe resolution and to insert the following:

Resolved, That it is the sense of the Senate that our outdated immigration laws and the lack of a pathway to citizenship for the 11 million undocumented immigrants who form the backbone of communities across the United States constitutes a crisis and that the United States Senate must take up immigration reform this year.

I ask that Senator INHOFE's request be modified as follows: that the Padilla substitute amendment at the desk to the resolution be considered and agreed to; that the resolution, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. INHOFE. I object.

The PRESIDING OFFICER. The objection is heard.

Is there objection to the original request?

Mr. PADILLA. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. INHOFE. Mr. President, I hope everyone heard this. I haven't met the Senator from California real well yet. I look forward to it. I look forward to serving with him, but I hope that ev-

eryone heard what is going on now: Just open the borders.

You know, people in other countries—I won't mention some of them because I don't want them to be put in an awkward position—they say: Why in the world don't we have stronger borders in the United States of America? And we don't.

Our previous President, I talked to him this morning. I talked to former President Trump this morning, and I talked about what is going on down there at the border. And the reason I am familiar with this—much more familiar than the Senator from California or anyone else—is that I worked down there for 30 years on that border, all the way from Brownsville, TX, to McAllen. I know the border people down there. I know the agents down there. And for them to tell me that they have been told not to talk to the media about what is going on—I hope everyone knows what is going on right now, today. This is going on.

You know, President Trump is all for people coming into America the legal way. He has made that very clear over and over again. He has spent time down on the border, both borders, making sure that we can have a legal—one of the most gratifying things in my job as a U.S. Senator, and I have been in these Chambers now since 1994—one of the most enjoyable things is to go to naturalization ceremonies. And you talk to these people who have come and worked to come across legally to our country. I defy you to find any one of these individuals who has come here legally and gone through this naturalization process—they know more about the history of this country than people on the street, than people who were born here and people who are serving here in the U.S. Senate. They know the language. They learn the language. They did it the hard way. How do you tell them: You have gone through all this in the process of becoming legal, but you didn't have to do that. You just march right in. They are inviting you in. They want you in.

Put it back up. Yes, that is what is going on right now. That is what is going on at the border. So I want everyone to know what is happening now.

We can be sympathetic to a lot of people, but the idea of saying that we had a President who was putting kids in cages, come on. Let's get real. We don't want to do that. We don't have to do that. We just want to make it very clear to the American people that we have borders, and we ought to be protecting these borders.

A lot of the people who come in, they aren't necessarily from Central America or from Mexico. These are—a lot of them are terrorists coming over. They are coming from the Middle East, coming from all over the world, coming into our porous borders.

Now, is that what people want? No, it is not. Overwhelmingly, they have rejected the idea of open borders, letting everyone come in.

Well, we are to going stay with this, and I am going to resubmit this very simple resolution, as follows:

It is the sense of the Senate that the current influx of migrants at the southern land border of the United States constitutes a crisis.

It is a crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION

Mr. MURPHY. Mr. President, Republicans are going to be on the floor today, taking a sudden 100-percent sincere interest in immigration reform. They are going to propose that the Senate take up a handful of bills to address what they call a crisis created by President Biden on our southern border.

Forgive me for being blunt, but give me a break. Republicans suddenly care about the border because they don't want to talk about the real crisis that President Donald Trump created and that President Biden is fixing: the COVID crisis and our Nation's economic crisis. Republicans don't want to fix our broken immigration laws. They want to distract Americans from the real story right now, which is the implementation of the very popular American Rescue Plan.

There are \$1,400 checks that are arriving in people's bank accounts right now. School budgets finally have enough resources to catch up on all of the lost learning for our kids; childhood poverty is about to be cut in half; more production of vaccines. That is the real story.

You know how I know the Republicans are less than sincere in this interest in immigration policy? First, because they controlled the Senate for 6 years and not once during the roughly 2,100 days that they were in charge did they try to honestly bring a comprehensive immigration reform proposal to the floor.

I checked. Two of the bills they are going to ask unanimous consent for today were brought up for show votes in the middle of the 2016 Presidential election as a means of helping Donald Trump's candidacy, but in neither instance was there actually any attempt to try to find common ground to actually pass something.

Go back even further. In 2013, when Democrats were in the Senate, that is when we actually did pass a comprehensive immigration reform bill. But it was Republicans who opposed it—not all, but all of the opposition came from Republicans—and it was the House Republican majority that refused to even consider the bill. That is where it died. So spare me this sudden concern for immigration policy.